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05 UNITED STATES DISTRICT COURT
06 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

07 TIMOTHY McCAMEY,) CASE NO. C07-0013-RSM-MAT
08 Plaintiff,)
09 v.) ORDER RE: MOTION FOR
10 SNOHOMISH COUNTY CORRECTIONS,) COURT ORDERED ACTION
11 et al.,)
12 Defendants.)

13 Plaintiff Timothy McCamey proceeds *pro se* and *in forma pauperis* in this 42 U.S.C. §
14 1983 civil rights action. (Dkt. 6.) Currently pending before the Court is plaintiff's Motion for
15 Court Ordered Action. (Dkt. 11.) Plaintiff asserts a denial of access to Snohomish County Jail's
16 law library due to alleged computer malfunctioning. He requests that the Court order Snohomish
17 County to repair the computer, to obtain a back-up computer, and to provide him with a
18 disposable "flex pen" for use in his cell. Defendants oppose plaintiff's motion. (Dkts. 15-18.)

19 Because the only claim raised in plaintiff's complaint pertains to an incident in which he
20 alleges he was sprayed with pepper spray or mace (*see* Dkt. 6 at 3), it is questionable whether
21 plaintiff's motion is properly before the Court. However, the Court construes plaintiff's motion
22 as related to his underlying claim in asserting an impact on his ability to litigate. Nonetheless, in

01 so doing, the Court agrees with defendant that plaintiff's motion is now moot.

02 Defendant indicates that, because the Snohomish County Jail law library computer broke,
03 inmates went without access for a total period of twenty-two days, but that plaintiff has had
04 private access to the law library computer for twelve hours a week since March 9, 2007. (*See*
05 Dkts. 15-17.) Defendant further indicates that plaintiff is permitted to keep a pencil in his cell and
06 has access to pens while in the law library. (Dkt. 18.) These facts obviate the relief sought in
07 plaintiff's motion.¹

08 For the reason described above, plaintiff's Motion for Court Ordered Action (Dkt. 11) is
09 hereby DENIED. The Clerk is directed to send copies of this Order to plaintiff, to counsel for
10 defendant, and to the Hon. Ricardo S. Martinez.

11 DATED this 5th day of April, 2007.

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13 Mary Alice Theiler
14 United States Magistrate Judge
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22 ¹ Because the Court finds this motion moot, it declines to address the additional arguments
raised in defendant's response.